

Abrems, R

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK----- x  
JAMAL JOHNSON AND TARIK JOHNSON,Plaintiffs,  
-against-**STIPULATION AND ORDER  
OF SETTLEMENT OF  
ATTORNEY'S FEES**

12 Civ. 0873 (RA)

CITY OF NEW YORK, ROBERTO VELEZ, individually,  
LUIS MARTINEZ, individually, and JOHN and JANE  
DOE 1 through 10, individually (the names John and Jane  
Doe being fictitious, as the true names are presently  
unknown),

Defendants.

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**WHEREAS**, plaintiffs commenced this action by filing a complaint on or about February 3, 2012 alleging that the defendants violated plaintiffs' federal civil and state common law rights; and

**WHEREAS**, defendants have denied any and all liability arising out of plaintiffs' allegations; and

**WHEREAS**, pursuant to plaintiff Jamal Johnson's General Release, signed February 21, 2013, and plaintiff Tarik Johnson's General Release, signed February 25, 2013, plaintiffs Jamal Johnson and Tarik Johnson assigned their rights to attorneys' fees, costs and expenses to their counsel- Leventhal & Klein, LLP; and

**WHEREAS**, counsel for plaintiffs and defendants now desire to resolve the issue of all attorneys' fees, costs and expenses, without further proceedings; and

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DATE FILED: <u>3/7/13</u>

**NOW, THEREFORE, IT IS HEREBY STIPULATED AND AGREED,** by and between the undersigned, the attorneys of record for the respective parties to the above-captioned action, as follows:

1. Defendant City of New York hereby agrees to pay counsel for plaintiffs, Leventhal & Klein, LLP, the sum of **FIVE THOUSAND (\$5,000) DOLLARS**, in full satisfaction of all claims for attorneys' fees, expenses, and costs in this matter. Plaintiffs and counsel for plaintiffs hereby agree and represent that no other claims for attorneys' fees, costs, or expenses arising out of this action shall be made by or on behalf of plaintiffs Jamal Johnson and Tarik Johnson in any application for attorneys' fees, costs, or expenses at any time.

2. In consideration for the payment of **FIVE THOUSAND (\$5,000) DOLLARS**, counsel for plaintiffs agree to release and discharge the defendants and any present or former employees and agents of the City of New York or any entity represented by the Office of the Corporation Counsel, from any and all claims of attorneys' fees, expenses and costs, which were or could have been alleged in this action.

3. Nothing contained herein shall be deemed to be an admission by the defendants that they have in any manner or way violated plaintiffs' rights, or the rights of any other person or entity, as defined in the constitutions, statutes, ordinances, rules or regulations of the United States, the State of New York, or the City of New York or any other rules, regulations or bylaws of any department or subdivision of the City of New York. This stipulation shall not be admissible in, nor is it related to, any other litigation or settlement negotiations.

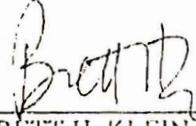
4. Nothing contained herein shall be deemed to constitute a policy or practice of the City of New York or any agency thereof.

**[The rest of this page has been intentionally left blank]**

5. This Stipulation and Order contains all the terms and conditions agreed upon by the parties hereto, and no oral agreement entered into at any time nor any written agreement entered into prior to the execution of this Stipulation and Order regarding the subject matter of the instant proceeding shall be deemed to exist, or to bind the parties hereto, or to vary the terms and conditions contained herein.

Dated: New York, New York  
March 6, 2013

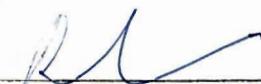
BRETT H. KLEIN, ESQ.  
*Attorney for Plaintiff's*  
Leventhal & Klein, LLP  
45 Main Street, Suite 230  
Brooklyn, New York 11201  
(718) 722-4100

By:   
BRETT H. KLEIN, ESQ.

MICHAEL A. CARDOZO  
Corporation Counsel of the  
City of New York  
*Attorney for Defendants*  
100 Church Street, Room 3-310  
New York, New York 10007  
(212) 442-6686

By:   
MELISSA WACHS  
Assistant Corporation Counsel

SO ORDERED:

  
THE HONORABLE RONNIE ABRAMS  
UNITED STATES DISTRICT JUDGE

3/7/13

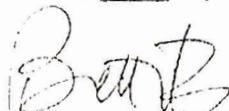
GENERAL RELEASE

**KNOW THAT**, Leventhal & Klein, LLP, counsel for plaintiffs in the action entitled Jamal Johnson and Tarik Johnson v. The City of New York, et al., 12 Civ. 0873 (RA)(S.D.N.Y.), in consideration of the payment of **FIVE THOUSAND DOLLARS (\$5,000)** by the City of New York, pursuant to the Stipulation of Settlement dated March 4, 2013, and the Stipulation and Order of Settlement of Attorneys' fees dated March 6, 2013, do hereby release and discharge the defendants, the City of New York, Roberto Velez, Luis Martinez, and the individuals named as "JOHN and JANE DOE 1 through 10;" their successors or assigns; and all past and present officials, employees, representatives and agents of the City of New York or any entity represented by the Office of the Corporation Counsel, from any and all claims of attorneys fees, expenses and costs which were or could have been alleged in the aforementioned action.

This Release may not be changed orally.

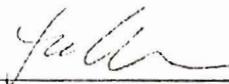
**THE UNDERSIGNED HAS READ THE FOREGOING RELEASE AND FULLY UNDERSTANDS IT.**

**IN WITNESS WHEREOF**, I have executed this 6<sup>th</sup> day of March, 2013

  
\_\_\_\_\_  
Brett H. Klein, Esq.  
Leventhal & Klein, LLP

STATE OF New York, COUNTY OF Brooklyn SS.:

On March 6, 2013 before me personally came Brett Klein, Esq. to me known, and known to me to be the individual described in, and who executed the foregoing RELEASE, and duly acknowledged to me that he executed the same.

  
\_\_\_\_\_  
NOTARY PUBLIC JASON LEVENTHAL  
Notary Public, State of New York  
No. 02LE6003908  
Qualified in RICHMOND County  
Commission Expires 03/09/2014